



MIAMI BEACH

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NO. LTC # **030-2012**

LETTER TO COMMISSION

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: February 3, 2012

SUBJECT: **PARKS AND RECREATIONAL FACILITIES BOARD MOTION**

The purpose of this Letter to Commission is to transmit a motion regarding proposed "Tobacco Free Zones" within City Parks adopted by the Parks and Recreational Facilities Board proposed.

The Board has discussed the issue of tobacco-free zones and acknowledges and understands that Section 386.209, Florida Statue prohibits the City from mandating a "Tobacco Free Zone". Currently, the only exception in Section 386.09 is provided to school districts which may further restrict smoking by persons on school district property. The language regarding Municipalities was *proposed* last session and is being proposed again this upcoming session.

Even though the Board acknowledges that the City cannot mandate a "Tobacco Free Zone," a motion was discussed, adopted and approved at their October 5, 2011 Board Meeting. A list of the recommended guidelines are also attached for review.

MOTION: The Parks & Recreational Facilities Board unanimously requests that the City create an ordinance allowing the Parks and Recreation Department to designate certain city Parks a "Tobacco Free Zone," subject to veto of the City Commission.

Members Present: Lizette Lopez, Meryl Wolfson, Rebecca Boyce, Amy Rabin, Harriet Halpryn, Leslie Graff and Jonathan Groff

Motion Made By: Jonathan Groff
Motion Seconded By: Meryl Wolfson
Motion Passed: Votes 7-0

JMG/HMF/tb

c: Hilda M. Fernandez, Assistant City Manager
Kevin Smith, Parks & Recreation Director
Julio Magrisso, Assistant Parks & Recreation Director

TOBACCO FREE ZONES

- **Pools**
- **Indoor Facilities**
- **Playgrounds & Tot Lots (*and within 100 feet*)**
- **Managed Tennis Centers**
- **Bark Parks**
- **Outdoor Fitness & Vita Courses**
- **Shelters & Pavilions (*and within 100 feet*)**
- **Rented Sites**
- **Athletic Fields**
- **Bleachers, Stadiums & Concession Stands**